

STATE OF MAINE

v.

WILLIAM L. CLARDY

Submitted on Briefs July 21, 2020
Decided July 28, 2020

Panel: MEAD, GORMAN, JABAR, HUMPHREY, and HORTON, JJ.

MEMORANDUM OF DECISION

William L. Clardy appeals from a judgment of conviction entered by the trial court (Kennebec County, *Mullen, J.*) on the charge of criminal OUI (Class D), 29-A M.R.S. § 2411(1-A)(A) (2020), following a jury trial. Clardy contends that the suppression court (*Stokes, J.*) erred when it denied his motion to suppress evidence gathered before and during an investigatory traffic stop, arguing that the court's findings were not supported by the record and that the court erred as a matter of law in concluding that the investigating trooper had a reasonable, articulable suspicion for initiating the traffic stop.

Contrary to Clardy's contentions, there was competent record evidence, including video evidence and the trooper's testimony, that supported the court's conclusion that, based on the totality of the circumstances, the trooper had an objectively reasonable, articulable suspicion that justified the stop of Clardy's vehicle.¹ *See State v. Laforge*, 2012 ME 65, ¶ 13, 43 A.3d 961; *State v.*

¹ Although Clardy argues that the facts of his appeal are analogous to *State v. Caron*, in which we held that a "brief, one time straddling of the center line . . . in the absence of oncoming or passing traffic, [and] without erratic operation or other unusual circumstances," did not justify an

Porter, 2008 ME 175, ¶ 12, 960 A.2d 321; *State v. Brown*, 675 A.2d 504, 505 (Me. 1996).

The entry is:

Judgment affirmed.

Walter F. McKee, Esq., and Kurt C. Peterson, Esq., McKee Law, LLC, P.A., Augusta, for appellant William L. Clardy

Maeghan Maloney, District Attorney, and T. Evan Fisher, Asst. Dist. Atty., Prosecutorial District IV, Augusta, for appellee State of Maine

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investigatory traffic stop by a police officer, 534 A.2d 978, 979 (Me. 1987), the court's factual findings in this case are distinguishable from *Caron*.